Customer No. 27061 Confirmation No. 4049 Patent Attorney Docket No. GEMS8081.028

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Vikram Singh et al.

Serial No. : 09/468.752

Filed: December 21, 1999

For : METHOD AND APPARATUS FOR SCREENING A POTENTIAL

CUSTOMER AND ASSIGNING AN ACCOUNT NUMBER TO

THE POTENTIAL CUSTOMER ACROSS A GLOBAL

COMPLITER NETWORK

Group Art No. : 3627

Examiner : Andrew J. Rudy

#### CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

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37 CFR 1.8(a) 37 CFR 1.10

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# RENEWED PETITION UNDER 37 C.F.R. 1.181 REQUESTING WITHDRAWAL OF THE HOLDING OF ABANDONMENT

Dear Sir:

Responsive to the Notice of Abandonment mailed October 6, 2006, and further in view of a previous petitions to withdraw the holding of abandonment filed November 2, 2006 and February 16, 2009 (copies enclosed), Applicant respectfully RENEWS its request for withdrawal of the holding of abandonment for the reasons set forth below.

Singh et al. S/N: 09/468,752

#### RELATED CASE/ISSUE:

Initially, it should be noted that Applicant is filing on this date a similar RENEWED PETITION in Serial No. 09/468,403 having the same examiner and the same issues presented herein

## REMARKS

A Notice of Abandonment in the present application was mailed October 6, 2006. The Notice simply stated that that the application was abandoned in view of "Applicant's failure to timely file a proper reply to the Office letter mailed on 16 September 2003." Notice of Abandonment, October 6, 2006. Applicant had, however, timely submitted multiple responses to the September 16, 2003 Office Action, including (1) a Petition Under 37 CFR §1.144 Secking Supervisory Review of Prosecution; (2) a Request for Reinstatement of Appeal Filed July 7, 2003; and (3) a Supplemental Appeal Brief Pursuant to 37 C.F.R. §1.191 and 1.192. These responses were filed concurrently on December 16, 2003, only two months after the September 16, 2003 Office Action. Thus, the a timely response was indeed filed with the USPTO in view of the September 16, 2003 Office Action, and the Notice of Abandonment should not have been issued.

After receiving the October 6, 2006 Notice of Abandonment, Applicant promptly filed a Petition to request withdrawal of the holding of abandonment on November 2, 2006, less than one month after receipt of the Notice of Abandonment. A copy of the November 3, 2006 Petition is enclosed herewith, along with copies of all documents filed concurrently therewith. However, despite timely filing the Petition nearly three years ago, Applicant has yet to receive a Decision on Petition in the matter. Applicant filed Status Inquiries on April 22, 2008, September 19, 2008, and December 19, 2008, and filed a Renewed Petition to request withdrawal of the abandonment on February 16, 2009, but Applicant has yet to receive a reply from the Office regarding the status of the Petition. As it has been nearly three years since the original filing of the Petition requesting withdrawal of abandonment, Applicant hereby resubmits the Petition with anticipation of a timely Decision on Petition from the Office.

Even though it has been more than two months since the mailing of the Notice of Abandonment on October 6, 2006, Applicant notes that the original Petition requesting withdrawal of the holding of abandonment, filed November 2, 2006, was timely under 37 C.F.R. Singh et al. S/N: 09/468,752

1.181. Thus, Applicant again seeks to have its original Petition filed November 2, 2006 considered by way of this RENEWED Petition.

Therefore, in view of the arguments above and those previously set forth November 2, 2006, Applicant believes that the holding of abandonment should be withdrawn.

In order to avoid any further delay, Applicant requests that the Office telephone the undersigned to expedite any unresolved matters with regard to this application.

Respectfully submitted,

/Timothy J. Ziolkowski/

Timothy J. Ziolkowski Registration No. 38,368 Direct Dial 262-268-8181 tjz@zpspatents.com

Dated: October 15, 2009

Attorney Docket No.: GEMS8081.028

#### P.O. ADDRESS:

Ziolkowski Patent Solutions Group, SC 136 South Wisconsin Street Port Washington, WI 53074 262-268-8100 Customer No. 27061 Confirmation No. 4049 Patent Attorney Docket No. GEMS8081.028

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Date. February 16, 2009 /Gregory V Madden/ Signature

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

# RENEWED PETITION UNDER 37 C.F.R. 1.181 REQUESTING WITHDRAWAL OF THE HOLDING OF ABANDONMENT

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Docketed by: Date: 3/17/01

Singh et al. S/N: 09/468.752

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Singh et al. S/N: 09/468.752

In order to avoid any further delay. Applicant requests that the Office telephone the undersigned to expedite any unresolved matters with regard to this application.

Respectfully submitted,

/Timothy J. Ziołkowski/

Timothy J. Ziolkowski Registration No. 38.368 Direct Dial 262-268-8181 tiz@zpspatents.com

Dated: February 16, 2009 Attorney Docket No.: GEMS8081.028

## P.O. ADDRESS: Ziołkowski Patent Solutions Group, SC 136 South Wisconsin Street

Port Washington, WI 53074 262-268-8100

Patent Attorney Docket No. GEMS8081.028

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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COMPUTER NETWORK

Group Art No. : 3627

Examiner : Andrew J. Rudy

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- transmitted by EFS-WEB addressed to Group Director at the Patent and Trademark Office.

Date: November 3, 2006 /Lisa J. El

/Lisa J. Ehaney/ Signature

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## RESPONSE TO NOTICE OF ABANDONMENT MAILED OCTOBER 6, 2006

Dear Sir:

The Notice of Abandonment mailed October 6, 2006 is in error and Applicant seeks withdrawal thereof

## REMARKS

The Notice of Abandonment mailed on October 6, 2006 states this application has been abandoned due to Applicant's failure to timely file a proper reply to the Office letter mailed on September 16, 2003. Applicant has, however, responded to the September 16, 2003 Office Action by filing on December 16, 2003: (1) Petition Under 37 CFR §1.144 Seeking Supervisory Review of Prosecution; (2) Request for Reinstatement of Appeal Filed July 7, 2003; and (3) Supplemental Appeal Brief Pursuant to 37 C.F.R. §1.191 and 1.192. These three document appear in the Image File Wrapper in PAIR (copy enclosed).

Therefore, the October 6, 2006 Notice of Abandonment has been issued in error, and withdrawal thereof is hereby respectfully requested.

Additionally, a Decision granting Applicant's December 16, 2003 has been issued on May 24, 2004. This document also appears in the Image File Wrapper in PAIR.

Applicant has filed two additional documents since receiving the December 16, 2003 Decision. Those documents being: (1) a Status Inquiry on February 1, 2006; and (2) on April 6, 2006, a Petition to Group Director to Request Examiner Reassignment. The February 1, 2006 Status Request appears in the IFW. The April 6, 2006 Petition, however, does not appear in the IFW in PAIR.

The April 6, 2006 Petition was filed via facsimile, and was received in the US PTO as evidenced by the Auto-Reply Facsimile Transmission which shows a received date and time of 4/6/2006 5:07:02 PM [Eastern Daylight Time]. A complete copy of the April 6, 2006 Petition is being filed herewith.

In view of the foregoing, it is hereby respectfully requested the October 6, 2006 Notice of Abandonment be withdrawn, and that a Decision on Applicant's April 6, 2006 Petition be issued.

Respectfully submitted,

/Timothy J. Ziołkowski/

Timothy J. Ziołkowski Registration No. 38,368 Direct Dial 262-376-5139 tjz@zpspatents.com

Dated: November 2, 2006 Attorney Docket No.: GEMS8081.028

#### P.O. ADDRESS:

Ziołkowski Patent Solutions Group, SC 14135 North Cedarburg Road Mequon, WI 53097-1416 262-376-5170 Attorney Docket No. GEMS8081.024; GEMS8081.027; GEMS8081.028

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Hetfleisch-Wenzel et al.	Singh et al.	Singh et al.
Serial No.	:	09/468,403	09/710,543	09/468,752
Filed	;	December 20, 1999	November 9, 2000	December 21, 1999
For	:	Method and Apparatus for Screening Potential Customers for Transactions Across a Global Computer Network	A Method of Designing an Electronic Transaction System	Method and Apparatus for Screening a Potential Customer and Assigning an Account Number to the Potential Custome Across a Global Computer Network
Group Art No.	:	3627	3627	3627
Examiner	:	Andrew J. Rudy	Andrew J. Rudy	Andrew J. Rudy

a deposited with the US Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
37 CFR L8(a)
37 CFR L10

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wransmitted by facsimile to Fax No.: 571-273-8300 addressed to Group Hirector at the Patent and Tradequark Office.

Date: April 6, 2006 Signature

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

# PETITION TO GROUP DIRECTOR TO REQUEST EXAMINER REASSIGNMENT

Dear Sir:

Applicant respectfully requests reassignment of the above referenced cases due to delay, action, and inadequate Examination. Each of the above referenced files are currently assigned to Mr. Andrew J. Rudy.

Docketed by: 48

A copy of the Transaction History for each file is attached.

## 09/468,752 (GEMS8081.028)

In this case, Applicant originally submitted its Appeal Brief on May 5, 2003 and an Amended Appeal Brief on July 7, 2003. The Examiner issued an action of September 16, 2003, and Applicant submitted a Supplemental Appeal Brief and Perition Seeking Supervisory Review on December 16, 2003. That Petition was denied on May 24, 2004, and the Examiner has taken no action on the case since. Applicant has filed Status Inquiries April 5, 2004, and February 1, 2006, with no reply from the Office. Since nearly two years have passed without any action on Applicant's Appeal Brief, Applicant respectfully requests the case be reassigned.

### 09/468,403 (GEMS8081.024)

In this case, Applicant filed a Supplemental Appeal Brief on December 16, 2003 with a Petition for Supervisory Review, which, again, was denied. Applicant did not receive a Notice of NonCompliant Appeal Brief until August 3, 2005, and then promptly filed a Response and a Supplemental Appeal Brief on August 19, 2005. MPEP §1207.02 states that "[t]he examiner should furnish the Appellant with a written statement in answer to appellant's brief within 2 months after the receipt of the brief by examiner." Since nearly eight months have passed without any action on Applicant's Appeal Brief, Applicant respectfully requests the case be reassigned.

#### 09/710.543 (GEMS8081.027)

In this case, Applicant filed a Pre-Appeal Brief Conference Request on August 3, 2005 along with a Notice of Appeal. As per a telephone conference between our paralegal and Examiner Rudy, the Notice of Appeal and Pre-Appeal Brief Conference Request was faxed again to Examiner Rudy on September 30, 2005. Then once more the Notice of Appeal and Pre-Appeal Brief Conference Request was faxed directly to Examiner Rudy on November 2, 2005. Applicant never did receive a Decision on the request, but received a new action mailed February 28, 2006, reopening prosecution which is nothing more than furthering additional delay. That is, in one paragraph in the Office Action, the Examiner applied a 316 page reference and merely cited to "Figs. 1-87" and "Cols. 1-321." Even so, the Examiner still found it necessary to take Official Notice, and provide "an alternative" rejection. Applicant paid its fee and deserved a Decision from the Panel.

S/N: 09/468,403; 09/710,543; 09/468,752

It is quite clear that, although Applicant has paid all of its fees associated with applying for these patents, prosecuting these patents, and filing Notices of Appeal and Appeal Briefs, that the Office is simply delaying and certainly not providing any adequate or quality examination. Accordingly, Applicant respectfully requests each of these cases be allowed or reassigned. The undersigned also notes that several calls were placed to the Group Director John Love, in the hopes of not having to file this Petition. In the two instances that the undersigned telephone calls were returned by Examiner Rudy's SPE, Mr. Alexander Kalinowski, the undersigned was assured that these issues would be looked into and a return phone call was promised. Unfortunately, the undersigned never received such a return phone call. With all do respect, Applicant simply wants a fair examination, and if reasonable minds differ, be allowed to take its case to the Board of Appeals.

Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,

Timothy J. Ziolkowski Registration No. 38.368 Direct Dial 262-376-5139 tjz@zpspatents.com

Dated: April 6, 2006

Attorney Docket No.: GEMS8081.024

P.O. ADDRESS:

Ziołkowski Patent Solutions Group, SC 14135 North Cedarburg Road Mequon, WI 53097-1416 262-376-5170



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Transa	ction His	itory
Date	Tran	saction Description
07-07-20	003 Misce	ellaneous Incoming Letter
05-09-20	005 IFW 1	FSS Processing by Tech Center Complete
05-24-20	004 Petiti	on Decision - Dismissed
12-16-20	003 Petiti	on Entered
09-16-20	003 Mail f	Non-Final Rejection
09-09-20	003 Non-l	Final Rejection
07-21-20	003 Date	Forwarded to Examiner
07-07-20	003 Appe	al Brief Filed
06-25-20	03 Notic	e Defective Appeal Brief
05-07-20	03 Date	Forwarded to Examiner
05-06-20	03 Defec	tive / Incomplete Appeal Brief Filed
05-06-20	03 Appe	al Brief Filed
03-11-20	03 Notice	e of Appeal Filed
02-24-20	03 Mail A	Advisory Action (PTOL - 303)
02-24-20	03 Advis	ory Action (PTOL-303)
02-11-20	03 Date	Forwarded to Examiner
02-03-20	03 Amen	dment after Final Rejection
12-03-20	02 Mail F	inal Rejection (PTOL - 326)
12-02-20	02 Final	Rejection
09-17-20	02 Date	Forwarded to Examiner

Response after Non-Final Action

100 - 01000 1 0 DY 1 6 M 0 3 5035

Date Forwarded to Examiner 05-20-2002 Response after Non-Final Action 04-24-2002 Mail Non-Final Rejection 04-23-2002 Case Docketed to Examiner in GAU 04-22-2002 Non-Final Rejection 04-16-2002 Case Docketed to Examiner in GAU 11-06-2001 Case Docketed to Examiner in GAU

07-15-2002 Mail Non-Final Rejection Non-Final Rejection

11-27-2000	Case Docketed to Examiner in GAU
06-28-2001	Case Docketed to Examiner in GAU
11-27-2000	Correspondence Address Change
10-13-2000	Case Docketed to Examiner in GAU
04-24-2000	Information Disclosure Statement (IDS) Filed
06-27-2000	Case Docketed to Examiner in GAU
05-01-2000	Application Dispatched from OIPE
05-01-2000	Application Is Now Complete
02-14-2000	Notice MailedApplication IncompleteFiling Date A
01-24-2000	IFW Scan & PACR Auto Security Review
02-14-2000	Preexamination Location Change
12-28-1999	Initial Exam Team nn

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Date	Transaction Description
01-27-2006	Miscellaneous Incoming Letter
08-24-2005	IFW TSS Processing by Tech Center Complete
08-23-2005	Date Forwarded to Examiner
08-19-2005	Supplemental Appeal Brief
08-03-2005	Notice Defective Appeal Brief
06-04-2005	Date Forwarded to Examiner
12-16-2002	Supplemental Appeal Brief
06-04-2005	Date Forwarded to Examiner
12-16-2003	Response after Non-Final Action
06-24-2004	Petition Decision - Dismissed
12-16-2003	Petition Entered
10-20-2003	Mail Non-Final Rejection
10-15-2003	Non-Final Rejection
08-08-2003	Date Forwarded to Examiner
06-05-2003	Defective / Incomplete Appeal Brief Filed
06-05-2003	Appeal Brief Filed
07-30-2003	Notice of Appeal Filed
12-30-2002	Mail Final Rejection (PTOL - 326)
12-30-2002	Final Rejection
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10-14-2002	Response after Non-Final Action
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08-07-2002	Non-Final Rejection
07-26-2002	Date Forwarded to Examiner
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01-16-2002	Case Docketed to Examiner in GAU
10-31-2001	Case Docketed to Examiner in GAU
11-15-2000	Case Docketed to Examiner in GAU

06-26-2001 Case Docketed to Examiner in GAU

Correspondence Address Change
Case Docketed to Examiner in GAU
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information Disclosure Statement (IDS) Filed
Case Docketed to Examiner in GAU
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		11-02-2005	Notice of Appeal Filed
Patent Searches		06-03-2005	Mail Final Rejection (PTOL - 326)
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Other		01-10-2005	Non-Final Rejection
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Policy & Law Reports		10-29-2004	Response after Non-Final Action
SEPOR CS	*Appert	10-19-2004	Mail Miscellaneous Communication to Applicant
		10-18-2004	Miscellaneous Action with SSP
		10-04-2004	
		09-30 2004	IFW TSS Processing by Tech Center Complete
		04-05-2001	Miscellaneous Incoming Letter
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		08-10-2004	Miscellaneous Incoming Letter
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		07-16-2004	Response after Non-Final Action
		10-04-2003	Certified Translation of Foreign Priority Document
		10-15-2002	Information Disclosure Statement (IDS) Filed
		10-15-2002	Reference capture on IDS
		07-16-2004	Workflow incoming amendment IFW
		07-13-2004	Mail Non-Final Rejection
		07-12-2004	Non-Final Rejection
		05-06-2004	Date Forwarded to Examiner
		12-16-2003	Response after Non-Final Action
		04-27-2004	Petition Decision - Denied
		12-16-2003	Petition Entered
		10-04-2003	Mail Non-Final Rejection
		09-27-2003	Non-Final Rejection

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07-28-2003	Requirement for Restriction / Election
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04-23-2002	Case Docketed to Examiner in GAU
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11-26-2001	Case Docketed to Examiner in GAU
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## Ziolkowski Patent Solutions Group, SC 14135 North Cedarburg Road Mequon, WI 53097-1416 (262) 376-5170 FAX (262) 376-2994

# FACSIMILE TRANSMISSION

Date: September 30, 2005

# PLEASE DELIVER THE FOLLOWING PAGES:

TO: Examiner Andrew Rudy

FAX NUMBER: (571) 273-6789

FROM: Lisa J. Ehaney on behalf of Timothy J. Ziolkowski

NUMBER OF PAGES (including cover)

Re: U.S. Patent Application No. 09/710,543

Filing Date: November 9, 2000 Title: A METHOD OF DESIGNING AN ELECTRONIC TRANSACTION SYSTEM

Atty. Docket No. GEMS8081.027

Dear Examiner Rudy,

Further to our phone conversation today, per your instructions, I am faxing herewith our August 3, 2005 submission of a <u>Notice of Appeal</u> and a <u>Pre-Appeal Brief Request for Review</u>. Also attached is a copy of the Auto-Reply Facsimile Transmission from the PTO indicating receipt of this filing at 11:06:18 am on August 3, 2005.

Please ensure that this filing is made of record in the above-captioned patent application. Also, please ensure the Deposit Account is not double charged for the filing of the Notice of Appeal.

Thank you for your assistance with this matter.

Sincerely,

Xua Chaney

Docketed by: 9-30-65

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## Ziołkowski Patent Solutions Group, SC 14135 North Cedarburg Road Mequon, WI 53097-1416 (262) 376-5170 FAX (262) 376-2994

# FACSIMILE TRANSMISSION

Date: September 30, 2005

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Examiner Andrew Rudy

FAX NUMBER: (571) 273-6789 FROM:

Lisa J. Ehaney on behalf of Timothy J. Ziolkowski

NUMBER OF PAGES (including cover)

U.S. Patent Application No. 09/710,543 Re.

Filing Date: November 9, 2000

Title: A METHOD OF DESIGNING AN ELECTRONIC TRANSACTION SYSTEM

Atty, Docket No. GEMS8081.027

Dear Examiner Rudy,

Further to our phone conversation today, per your instructions, I am faxing herewith our August 3, 2005 submission of a Notice of Appeal and a Pre-Appeal Brief Request for Review. Also attached is a copy of the Auto-Reply Facsimile Transmission from the PTO indicating receipt of this filing at 11:06:18am on August 3, 2005.

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10-31-2000	Change of Address	PROSECUTION	
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06-08-2000	Oath or Declaration filed	PROSECUTION	
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04-14-2000	Applicant Response to Pre-Exam Formalities Notice	I NODECOTION	

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Gustomer No. 27061 Confirmation No. 4049

Attorney Docket No. GEMS8081 028

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Vikram Singh at al

Serial No. : 09/468,752

Piled : Deveraber 21, 1999

METROD AND APPARATUS FOR SCREENING A POTENTIAL CUSTOMER AND ASSIGNING AN ACCOUNT NUMBER TO THE POTENTIAL CUSTOMER ACROSS A GLOBAL COMPUTER NETWORK For

Group Art No 3 62.7

Examina · Andrew J. Rady

#### CERTIFICATION UNDER 17 CER 1 8(a) and 1 16

1 hereby castify then on the date shown below, this correspondence is being.

MARITING

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Commissioner for Parents P.O. Box 1450 Alexandria, VA. 22313-1450

# BENEWED PETITION UNDER 37 C.F.R. LIST REQUESTING WITHDRAWAL OF THE HOLDING OF ABANDONMENT

There or

Responsive to the Notice of Abandonment market October 6, 2006, and further in view of a previous petition to withdraw the holding of abandonment filed Nevember 2, 2006 (copy embosed). Applicant respectfully RENEWS its request for withdrawal of the bolding of abandonment for the reasons set forth belowUSPTO 2/18/2008 9:30:40 AM PAGE 1/001 Pak Serv

TO: Auto-reply fax to 2622688185 COMPANY:

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